

REMARKS / ARGUMENTS

Claims 1-10, 12-42, 44-64, 69-80 and 82-96 are pending in this application.

Claims 1-15, 17, 23-30, 32-47, 49, 55-62, 64-84, 86, 92-100 and 102 were rejected as being anticipated by US Patent Pub. No. 2002/0169360 to Taylor et al. (hereinafter Taylor).

Claims 16, 48, 85 and 101 were rejected as being obvious over Taylor. Claims 20-22, 52-54 and 89-91 were rejected as being obvious over Taylor in view of U.S. Patent No. 6,287,321 to Jang. Claims 31 and 63 were rejected as being obvious over Taylor in view of US Patent Pub. No. 2004/0249409 to Murphy et al.

Discussion

Applicant submits that amended claim 1 is allowable over Taylor since Taylor does not disclose or suggest “evacuating blood from the non-blood flow side after the expanding step.” Taylor discloses a balloon which conforms to the shape of the heart. As such, Taylor does not include the step of “evacuating blood from the non-blood flow side after the expanding step.” Nowhere does Taylor suggest evacuating blood after expanding the balloon.

Applicant submits that it would not have been obvious to remove blood from the non-blood flow side of Taylor after expanding the balloon 113 of Taylor since no such step is required. The balloon 113 of Taylor is designed to inflate to the required geometry thereby obviating the need to evacuate blood as claimed.

Amended independent claim 33 is also allowable over Taylor for reasons similar to the reason that claim 1 distinguishes over Taylor, namely, that Taylor does not disclose or suggest “evacuating blood from the isolated side after the expanding step.” Taylor does not require evacuation of blood after inflating the balloon 113 since the

balloon conforms to the shape of the left ventricle so that evacuation of blood is not required after inflating the balloon.

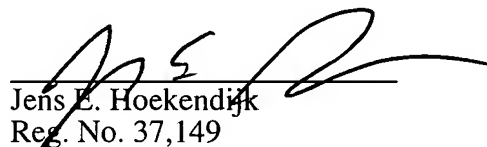
Amended independent claim 69 is patentably distinguishable over Taylor since Taylor does not disclose or suggest "reducing the volume of the non-blood flow side after the expanding step until at least part of the left ventricle wall moves into contact with the element." Taylor does not reduce the volume of the non-blood flow side after expanding the balloon 113 let alone reducing the volume until at least part of the left ventricle moves into contact with the element as claimed.

The dependent claims are allowable since they depend from allowable independent claims 1, 33 and 69 as described above.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 415-412-3322.

Respectfully submitted,

July 26, 2007
Date



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